

REMARKS

Claims 1-7, 9, and 11-20 are pending in the application. Claims 1, 4, 5, 9, 12, and 13 have been amended hereby. Claims 8 and 10 have been cancelled, without prejudice or disclaimer. Claims 1, 4, 5, 12, and 13 are in independent form. Favorable reconsideration is requested.

Reconsideration is respectfully requested of the rejection of Claims 1-6, 8, 11-20 under 35 U.S.C. §103(a), as being obvious over U.S. Patent No. 5,835,087 (“*Hertz*”) in view of U.S. Patent No. 5,946,664 (“*Ebisawa*”) and U.S. Patent Publication No. 2002/0068525 (“*Brown*”); of the rejection of Claims 7 and 9, as being obvious over *Hertz* in view of *Ebisawa*, *Brown*, and U.S. Patent No. 6,385,596 (“*Wiser*”); and of the rejection of Claim 10, as being obvious over *Hertz* in view of *Ebisawa*, *Brown*, and U.S. Patent No. 7,146,567 (“*Duczmal*”).

Independent Claims 1, 4, 5, 12, and 13 have been amended to recite all the features of Claims 8 and 10, and Claims 8 and 10 have been cancelled. Accordingly, the rejection of amended independent Claims 1, 4, 5, 12, and 13 will be addressed as a rejection over *Hertz* in view of *Ebisawa*, *Brown*, and *Duczmal*.

It is respectfully submitted that the combination of *Hertz*, *Ebisawa*, *Brown*, and *Duczmal* fails to show or suggest creating advertisement structure information containing at least portions and times regarding where advertisement insertion can be made in the digital contents, and providing advertisement information based on the advertisement structure information and specified information from the advertiser, as shown in Fig. 3, described in Paragraphs [0040]-[0042] of the published application, and recited in amended independent Claims 1, 4, 5, 12, and 13.

The Office Action in paragraph 5 concedes that the combination of *Hertz*, *Ebisawa*, and *Brown* fails to show or suggest the aforementioned features of the present invention, and cites *Duczmal*, Fig. 3 in particular, as curing these deficiencies.

Duczmal, as best understood, discloses a method and system for scheduling the display of advertisement material (marketing campaigns) on remote display locations. See Abstract.

It is respectfully submitted that *Duczmal* fails to show or suggest at least creating advertisement structure information containing at least portions and times regarding where advertisement insertion can be made in the digital contents. *Duczmal*, at best, is disclosing a method and system to manage which billboard will display an advertisement.

Accordingly, it is respectfully submitted that amended independent Claims 1, 4, 5, 12, and 13, and the claims depending therefrom, are patentably distinct over *Hertz* in view of *Ebisawa*, *Brown*, and *Duczmal*.

In view of the amendments and remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

/Pedro C. Fernandez/
Pedro C. Fernandez
Reg. No. 41,741

CUSTOMER NUMBER 026304
Telephone: (212) 940-6311
Fax: (212) 940-8986
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